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(202) 783-6900

February 6, 2002

Gloria Blue  
Executive Secretary, TPSC  
Office of the US Trade Representative  
600 17<sup>th</sup> Street NW  
Washington, DC 20508

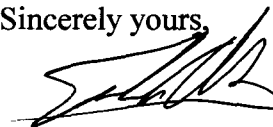
RE: Exclusion Request X-020 (Carbon Steel Special Shapes & Stainless Steel Structural Shapes)

Dear Ms. Blue:

On behalf of Hoesch Hohenlimburg and its U.S. joint venture subsidiary, German Special Profiles LLC, we hereby submit additional information arising out of meetings we have had with Mr. Richard Weible and other representatives of the Department of Commerce as well as earlier with the TPSC.

The attached information and commentary, as requested, refines our exclusion requests, provides additional supporting material and addresses certain objections and questions raised by the domestic industry concerning carbon steel special shapes and stainless steel structural shapes.

Sincerely yours,



Frank A. Orban, III

## **I. Carbon Special Shapes**

### **A. Special Shapes Excluded by Dimension – 80mm or More in Height.**

#### **1. Modification of HTSUS 7216.50.0000**

As defined by the ITC hot rolled bar special shapes are excluded if their height exceeds 80mm. In order for this exclusion to be applied to special shapes that are not I, U, L, T or H, it is necessary to further breakdown HTSUS 7216.50.0000 in order to identify for Customs shapes that are entitled to this exclusion. Therefore, we propose that this heading be modified as follows:

*“7216.50.00.00 - Angles, shapes and sections, not further worked than hot rolled, hot drawn or extruded [current description].*

*7216.50.00.30 – of a height of less than 80mm.*

*7216.50.00.60 - of a height of 80 mm or more.”*

#### **2. Manner of Measuring Height**

We have had discussions with US customs as to manner of measuring the said height. We have been informally advised by the import specialist, Ms Paula Ilardi (Tel. 646-733-3020) that the “height” in this case should be the largest outside dimensional measurement. We have filed a request with US Customs to confirm this officially.

### **B. Special Shapes of Less than 80mm for which Exclusion from 201 Remedies is Requested**

#### **1. Definition of Excluded Products**

As requested by Mr. Weible of the Department of Commerce, in order to better define the exclusion sought and facilitate Customs implementing the requested exclusion, we provide the following definition to describe the excluded special shapes:

*“Any other shape not further worked than hot-rolled, hot-drawn or hot extruded which has 6 or more sides and an outside sectional height not greater than 65mm (2.65 inches) in chemistry grades of ST-52-3SO, ST-52-3N, 25MNV5, SAE1018, 15CR NI 6, 15 CR NI 650, RTS-37-2 or SI 52-3. A “side” means a continuous flat surface exceeding 5mm (.196 inches) or a circle arc segment with a radius of 6mm (.236 inches) or greater.”*

#### **2. Why the Defined Special Shapes (36) Should be Excluded**

(a) Twenty-eight (28) of the thirty-six (36) special shapes for which exclusion is sought are: 1) produced with the proprietary intellectual property of the customer, which are manufactured by Hoesch under an exclusive license from the customer with sales to third parties prohibited; 2) overwhelmingly produced under long-term global contracts to supply all the customer’s worldwide plants, not just those in the US; and 3) made typically with tooling directly or indirectly provided by the customer at a cost of one to two million dollars in total for a complete range of the customer’s proprietary shapes.

(b) The 36 special shapes which Hoesch exports to the US through its US joint venture subsidiary, GSP and for which we request exclusion, represent only approximately 2600 tons.

(c) These are 36 discrete special shapes out of a total of approximately 74 special shapes. Most of these 36 are only portions of various customer-specific full lines of proprietary shapes for six separate customers (other portions of the lines having been otherwise excluded from the 201 proceeding). Therefore, it would be burdensome and industrially impractical for such customers to invest large sums in new tooling to equip even a theoretically capable American producer to make one or a few individual shapes out of a much larger complete line of proprietary shapes. This is all the more true where the number of discrete special shapes per customer would be a few in number and represent between one ton and 800 tons of product per year.

(d) Twenty-six (26) of the 36 special shapes are hot extruded (neither Steel of West Virginia, Ameristeel nor North Star can extrude shapes). These extruded special shapes are all extruded in quantities of 80 tons or less so no domestic producer that extrudes products has objected to our exclusion request. Twenty (20) have annual sales of less than 10 tons, 6 have annual sales of 10-40 tons, 5 have annual sales of 81-120 tons and five have annual sales in excess of 120 tons.

(e) Of the 8 non-proprietary special shapes out of the total 36, the quantities sold in 2001 are:

3401 -	128 tons
3402 -	125 tons
3403 -	113 tons
5102 -	0 tons
6804 -	9 tons
5839 -	0 tons
6270 -	0 tons
5988 -	0 tons
<b>Total</b>	374 tons

(f) Of the said 36 special shapes for which we are requesting exclusion, Steel of West Virginia ("SWV") declined even to quote a customer for 6 of 9 products for which a quote was requested, although it alleges it can make such products (see SWV letter in **Exhibit 1A**). Of the three products for which SWV quoted, the customer rejected two since SWV could only make them if the customer changed the designs up to 6mm, which the customer could not agree to. The customers concerned hold the vast majority of the US market in the end products concerned.

See also in **Exhibit 1B** letters from the major customers of Hoesch special shapes confirming that they are not produced in the US. The letters are provided by such companies as: Mitsubishi-Caterpillar Forklift of America (MCF), Schaef, NACCO, and Cascade Corporation.

Furthermore, the SWV itself states in a letter (see SWV letter in **Exhibit 2**) that it is the only mill in the United States capable of making special shapes. We agree that there are no other such companies but do not agree that SWV can, in fact, make all the particular types of shapes we are seeking to exclude.

(g) Since special structural shapes are produced typically under long-term requirements contracts, domestic suppliers who during the term of the contract approached customers with the intent to induce them to purchase from them could be liable for tortiously interfering with the contractual rights of the foreign supplier.

**C. Comments on Assertions of Production Capability in Wiley Rein & Fielding Letter dated December 5, 2001 on behalf of the Minimill 201 Coalition et al on page 9 (See Exhibit 3)**

**1. Steel of West Virginia (SWV)**

SWV's website makes clear that their markets and stocking inventories consist of structural beams and channels with some shapes. However, there are no special shapes or otherwise under 80mm in height.

Of their special sections, most are grouser bars and special shapes that have a height above 80mm and these are carriage bars. Three of the Hoesch products for which exclusion is requested are carriage bars, but are primarily sold to Caterpillar-Mitsubishi in Houston. This purchaser would have to provide tooling to SWV even to make these three products. We are not aware of any production of SWV other than these three carriage bars that fall under the definition of our exclusion request. The total volume of the three carriage bars is about 250 tons.

SWV requires a 60 ton minimum order or more in order to tool up to manufacture special shapes. None of the 36 shapes for which we request exclusion have existing tooling at SWV and most are sold in quantities of less than 60 tons.

See also point 2 (c) and 2(e) above which address the situation at SWV.

**2. North Star Steel.**

Based on the more precise definition in **B.1** above of the exclusion sought, North Star does not engage in the manufacture of special shapes. The attached chart (**Exhibit 4**) shows that North Star product offering does not include the type that Hoesch makes and for which it requests exclusion. Furthermore, North Star does not extrude and 26 of the shapes for which we request exclusion are extruded. See North Star Website.

**3. Ameristeel**

Based on the more precise definition in **B.1** above of the exclusion sought, this company does not engage in the manufacture of these products. The attached chart (**Exhibit 5**) shows that Ameristeel's product offering does not include the type that Hoesch makes and for which it requests exclusion. Furthermore, as pointed out by Ameristeel itself, it does not extrude products. Twenty-six (26) of the 36 products for which we request exclusion are hot extruded by Hoesch.

**D. Conclusion.**

Given the above, we believe that these products fully deserve exclusion from any 201 remedy, since they are:

- ✓ Proprietary and made with tooling supplied by the customer.
- ✓ Made in small quantities.
- ✓ Represent only portions of larger lines.
- ✓ Most of the shapes (26 of 36) for which exclusion are sought are hot extruded and therefore cannot be made by the domestic industry. Of the remainder none are made by domestic mills nor are capable of being made except for theoretically two or three shapes.

## II. Stainless Steel Structural Shapes

### A. New Definitions for Excluded GSP Hot Extruded Stainless Steel Structural Shapes

As requested by Mr. Weible of the Department of Commerce, for purposes of more clearly defining more narrowly hot extruded stainless steel structural shapes of the type for which we request exclusion, we provide the following definitions. Either of which is acceptable to us:

*“Hot extruded stainless steel structural shapes of homogenous construction (manufactured according to ASTM A276, A479 and Federal Standard QQ-S-763; shaped U, H, I, L, and T with any vertical or horizontal dimension of 6.0 inches (152.52mm) or more.”*

OR

*“Hot extruded stainless steel structural shapes of unitary construction (manufactured per ASTM A276, A479 and Federal Standard QQ-S-783) shaped U, H, I, L and T with any vertical or horizontal dimension of 6.0 inches (152.52mm) or more.”*

### B. Why GSP Stainless Steel Structural Shapes should be Excluded

German Special Profiles LLC, the exclusive importer of Hoesch Hohenlimburg stainless steel structural products, can state that no US producers are able to manufacture themselves in-house hot extruded (not further worked) stainless steel structural shapes that have a dimension of 6.5 inches or more. This has been true for many years

#### 1. Limited Number and Quantity of Shapes to be Excluded

The total number of shapes for which we request exclusion is 11 out of a total of 26. Total sales in 2001 of these 11 shapes (all such shapes sized 6 inches or more as defined above) were a mere 17 tons. Future projections of sales would be circa 100 plus tons a year. The total market for stainless steel profiles is estimated to be 5,000 tons, most of which consists of profiles of 4.5 inches or less. ALTX and Plymouth make only up to 5.5-inch products and PMAC up to 6 inches. Because of the above refined definition, the objections raised in opposition to our exclusion are now essentially moot. The exclusion sought would represent approximately 2% of the market.

#### 2. These Larger Stainless Steel Structural Shapes are Not Available in the US

We provide the following commentary and supporting documentation demonstrating that domestic producers, including PMAC, do not produce products of the type for which we request exclusion. Attached and labeled as **Exhibit 9** is a copy of a quotation sheet from a customer of GSP. Also in **Exhibit 9** is a letter from KG Specialty Steel confirming the unavailability from domestic producers. You will note that neither US mill Amerex (PMAC) or Plymouth) made any offer on products over 5”, although they bid on smaller profiles. Only GSP did and could supply.

See also **Item 3** below concerning companies that were suggested as producers but are not, since they are not extruders or do not extrude stainless steel.

### 3. Response to Earlier Comments by the Domestic Industry related to Capacity to Produce Stainless Steel Hot Extruded Profiles.

Because of inaccurate or incomplete statements in the documents submitted by the domestic industry in response to our initial generally defined request for exclusion, we address those now although the narrow definition may essentially make some of the assertions moot.

#### (a) Assertions of PMAC in Letter Dated November 27, 2001 (See Copy – Exhibit 6)

Based on our expert knowledge of this industry, PMAC does not manufacture hot-extruded stainless steel structural profiles with a dimension of 6.5 inches or more. As its letter obliquely mentions, it has sought to purchase certain products from another company (Stark). PMAC is a mere vendor of a product that has not been sold successfully commercially. They do not have such in-house capabilities. PMAC does not extrude stainless steel structural profiles over 6.0 inches, but, at best, welds two smaller profiles to make a larger one (example: two four inch Ts welded together will make an 8" I beam). We do not consider PMAC's statement that of capabilities up to 12 inches as correct, but rather their assertion is based on conversion of semi-finish products by welding.

PMAC also stated that the company Extrusion Technology produces stainless steel structural profiles above 10". As you will see from Extrusion Technology's business description contained in **Exhibit 7**, this company extrudes only aluminum.

PMAC also cites Wyman Gordon as a large size producer (over 20 inches) but Wyman Gordon is a forger not an extruder of profiles. Forging requires further processing.

The data on page 2 of Annex1 of PMAC's letter is misleading in that it shows, high levels of shipments in 1998, but this was an exceptional year for stainless sales. This misimpression would be corrected by looking at PMAC's sales for 1996 and 1997.

#### (b) Statements in Collier, Shannon Letter on Exclusions dated January 16, 2001, page 4 of Exhibit 1 (See Exhibit 8)

We direct your attention to the following corrections of statements in said opposition submission. As for mills stated to make the products:

RTI is a fabricator not an extruder. RTI does not make stainless steel structural shapes at all but is engaged in fabrication with welding and cutting processes.

Elwood Texas Forge is also a forger and does not make stainless steel structural profiles. It extrudes only pipe shapes.

Wyman Gordon is a forger not an extruder as is discussed above and could not make them without further processing.

As for the assertion concerning potential producers in the right hand column, we can state the following: The argument is not valid for several reasons. Firstly, the cost of hot rolling per ton is usually between ¼ and ½ the cost of hot extruding. This being so, then how many hot rolled manufacturers make stainless steel light structural shapes? There is only one US producer with

even the capability to make a limited range of equal leg angles (Slater in Fort Wayne, IN), because hot rolling stainless special shapes is not suitable for hot rolling mills. This is because furnace atmospheres, rolling temperatures and the way stainless reacts to rolling are very different in the context of making stainless products compared to carbon steel rolling. Stainless special shapes are extremely difficult to make. Consequently, 100% of all light bar shapes are made in extrusion presses. Furthermore, the quantities of such shapes that are sold to customers are quite small (5 tons or less) and not commercially viable for hot rolling mills that need minimum tonnage runs (typically 50 tons or more).

#### **D. Conclusion.**

Given the above, we believe that the stainless steel products as defined above fully deserve exclusion from any 201 remedy, since:

- ✓ Large shapes are not and cannot be produced in the US.
- ✓ The shapes must be extruded and are not suitable to be rolled in hot-rolling mills for technical reasons.
- ✓ Only a few products are covered by the exclusion requested representing only about 2% (circa 100 tons) of the total US market for stainless steel structural shapes.
- ✓ The products represent only portions of larger lines.

**EXHIBIT 1A**

**Quote Refusals or Unacceptable Products**

**From**

**Steel of West Virginia**





Leading the world in quality lift truck  
attachments, forks and accessories.

**Cascade  
Corporation**

January 31, 2002

Ed Dailey  
GS Profiles  
5433 Goshen Springs Road  
Norcross, GA 30093

Dear Ed,

Thank you for your progress report on the Section 201 Steel Investigation. I find it disturbing that Steel of West Virginia, Ameristeel and North Star BHP Steel Ltd. would testify that they are able to produce the special sections we buy from you.

Steel of West Virginia (SWVA) has repeatedly declined or been unable to quote our product to the last several years. I offer as proof the following:

- A copy of a letter dated October 19, 1999 declining to quote on our 55F lineal steel requirements; stating that their mill is unable to meet our tolerances. This would apply to our section numbers SK-6267, SK-6268, SK-6269.
- A copy of a letter dated July 17, 2000 and prints, addressed to Bill Aldridge of NACCO (*NACCO and Cascade are both producing a shared design*), quoting on three sections for our Integral design. SWVA was asked to quote six sections. They were able to quote only three. Two of the three quotes relied on SWVA-needed design changes of up to 6mm. These design changes were unacceptable to the design of the product. Cascade & NACCO, from a material handling view, did not want to source one section from one vendor and five from another – thus we placed all with Hoesch.

You mentioned that Ameristeel and North Star also claimed capacity. I am aware of no North American mill that can produce these sections. Years ago, probably late-1998 / early-1999, I contacted Ameristeel in their Florida facility looking for an alternate source for our lineal purchases. I was told they produced only standard shapes, re-bars, angles, etc. and made no special shapes such as ours.

I've never contacted North Star, but from what I see of their web-site, they produce only coiled sheet. I'll offer this information also. In a June 26, 2000 letter from SWVA, announcing their ISO 9002 certification, they state that they are the "only North American mill designed specifically for special sections".

I've accompanied this letter with copies of the mentioned documentation offering proof that these sections are unavailable in the U.S. Even if these U.S. companies were able to make improvements to their facilities in order to run these shapes, we have already purchased tooling abroad. Re-tooling in the U.S. would be a several-hundred-thousand dollar cost that we would be unable to bear.

Hopefully this proof will gain us an exclusion. If you need any further information, don't hesitate to call.

Sincerely,

  
Garry Cummings

104 Industrial Park Blvd.  
Warner Robins, GA  
31088  
Tel 912.922.7173  
Fax 912.922.9014  
www.cascorp.com

07/17/2000 23:41 FAX 503 721 6300

NMHG PURCHASING

002

503 721 6300;# 2/ 5

SENT BY: STEEL OF WEST VIRGINIA; 7-17- 0 ; 9:36 ;



2/5

SWVA, INC. a subsidiary of  
STEEL OF WEST VIRGINIA, INC.

7/17/00

Mr. Bill Aldridge  
Nacco Materials Handling Group, Inc.  
Fairview, Oregon 97024  
Phone: (503) 721-5411 Fax: (503)-721-6300

Dear Bill,

After evaluating the section shapes you sent us July 7, 200, we feel there are (3) three sections we can roll with some modifications. Those sections are your SK-6921, SK-6922 and SK-6923. The drawings with modifications are enclosed.

The price including tooling-  
FOB Huntington, West Virginia as follows:

	<u>Estimated Annual Tons</u>	<u>SWVA Drawings</u>	<u>Price</u>
SK-6921	950	A-6108	\$36.15 /cwt
SK-6922	400	A-6109	\$38.69 /cwt
SK-6923	600	A-6110	\$38.54 /cwt

Prototype material for each section available by January 20, 2001.

Thank you for the opportunity of quoting.

Very Truly,

Michael Smith  
Sales Representative

Phone: (304) 696-8200 Phone: (800) 624-3492 Fax: (304) 529-1479  
Next Day Mail: 17th St. & 2nd Ave., Huntington, West Virginia 25703  
Mailing Address: P.O. Box 2547, Huntington, West Virginia 25726-2547  
-- E Mail Address: steel@swvainc.com

ME - GIL



SWVA, INC. a subsidiary of  
**STEEL OF WEST VIRGINIA, INC.**

October 19, 1999

Mr. Gary Cummings  
Cascade Corporation  
104 Industrial Park Blvd.  
Warner Robins, GA 31088

Dear Gary:

After reviewing your current shapes for the 55F side shifter, we decline to quote.

Our current fiber bearing mill is not capable of meeting your tolerances. In approximately 12 months, we hope to have a roller bearing mill and a new universal cassette in place. After some experience, we would like an opportunity to relook at your shapes.

Thank you very much for the opportunity of quoting.

Sincerely,

Michael Smith

Sales Representative

Phone: (304) 696-8200 Phone: (800) 624-3492 Fax: (304) 529-1479  
Next Day Mail: 17th St. & 2nd Ave., Huntington, West Virginia 25703  
Mailing Address: P.O. Box 2547, Huntington, West Virginia 25726-2547  
E Mail Address: steel@swvainc.com



SENT BY: STEEL OF WEST VIRGINIA; 7-17-02 ; 9:37 ;

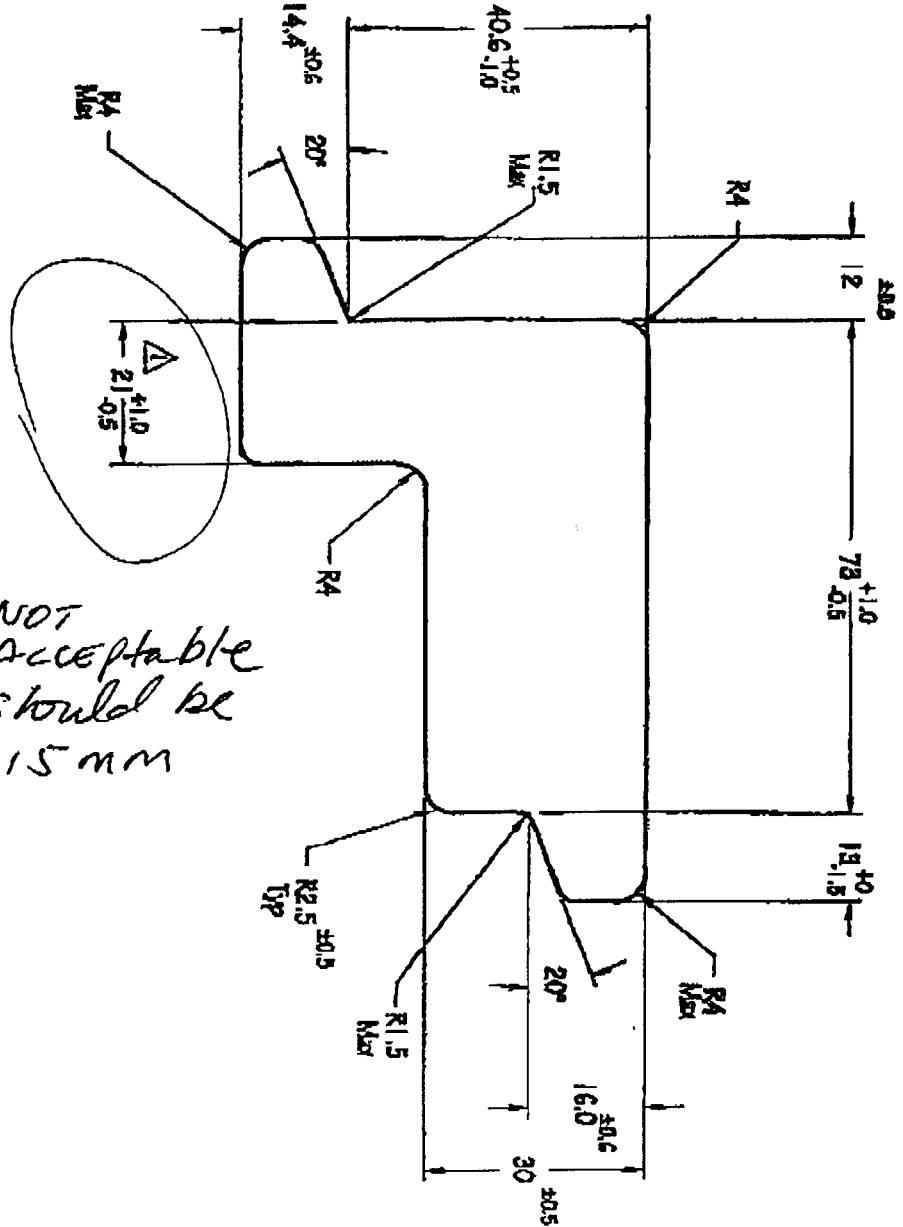
503 721 6300;# 3/ 5



STEEL OF WEST VIRGINIA  
HUNTINGTON, WEST VIRGINIA



Section Area 30.26 SqCm  
Section Weight 23.75 kg/M



NOT  
Acceptable  
should be  
15 mm

Lower Forkbar

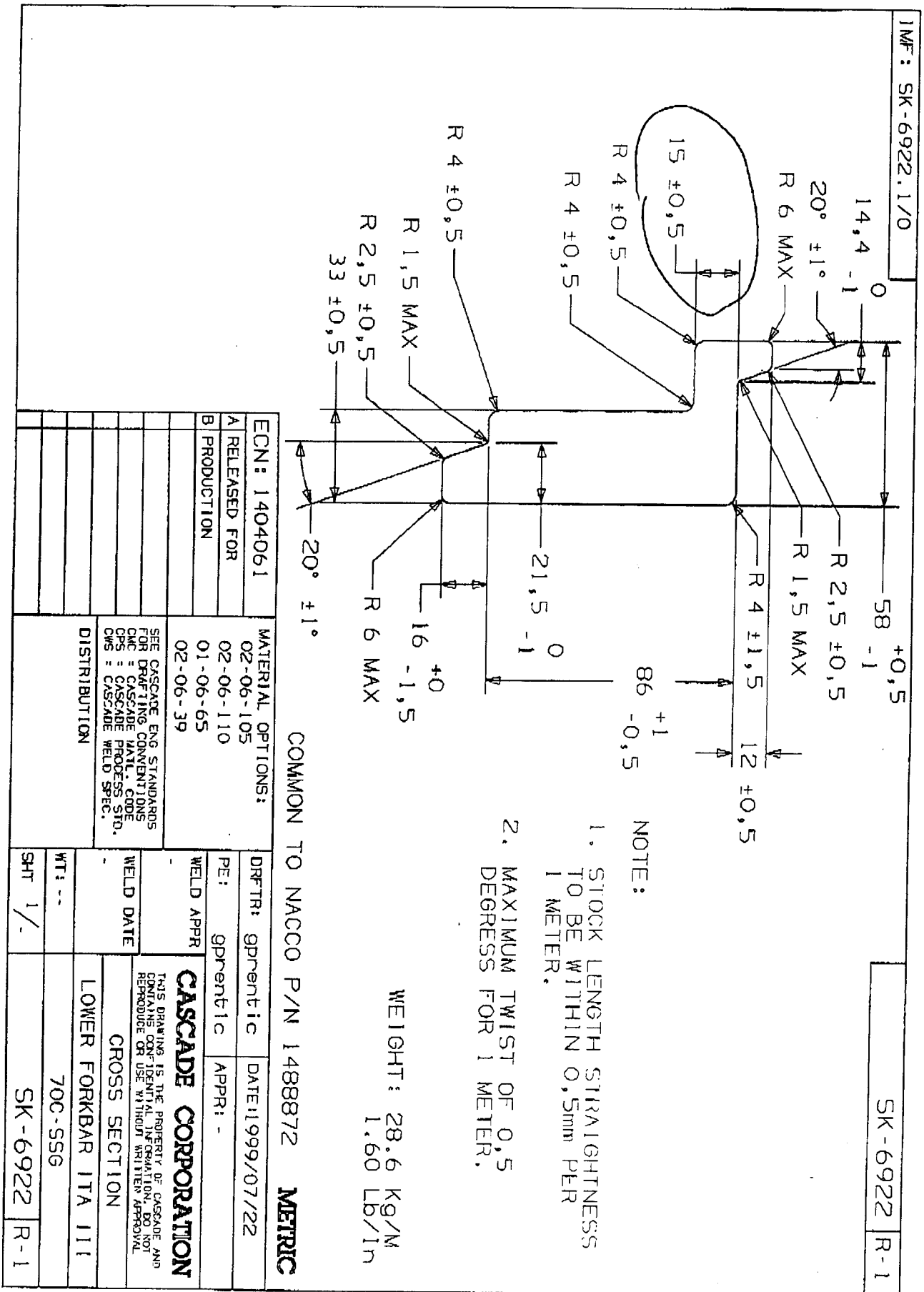
SK-6921

Scale Full  
Drawn By GAK  
Date 7-14-00  
App By

A - 6108

No.	Revision	By	Date
1	21 was 15	BGC	7-17-00

5/5



4/5



STEEL OF WEST VIRGINIA  
HUNTINGTON, WEST VIRGINIA



Section Area 38.01 Sqcm  
Section Weight 23.88 kg/m

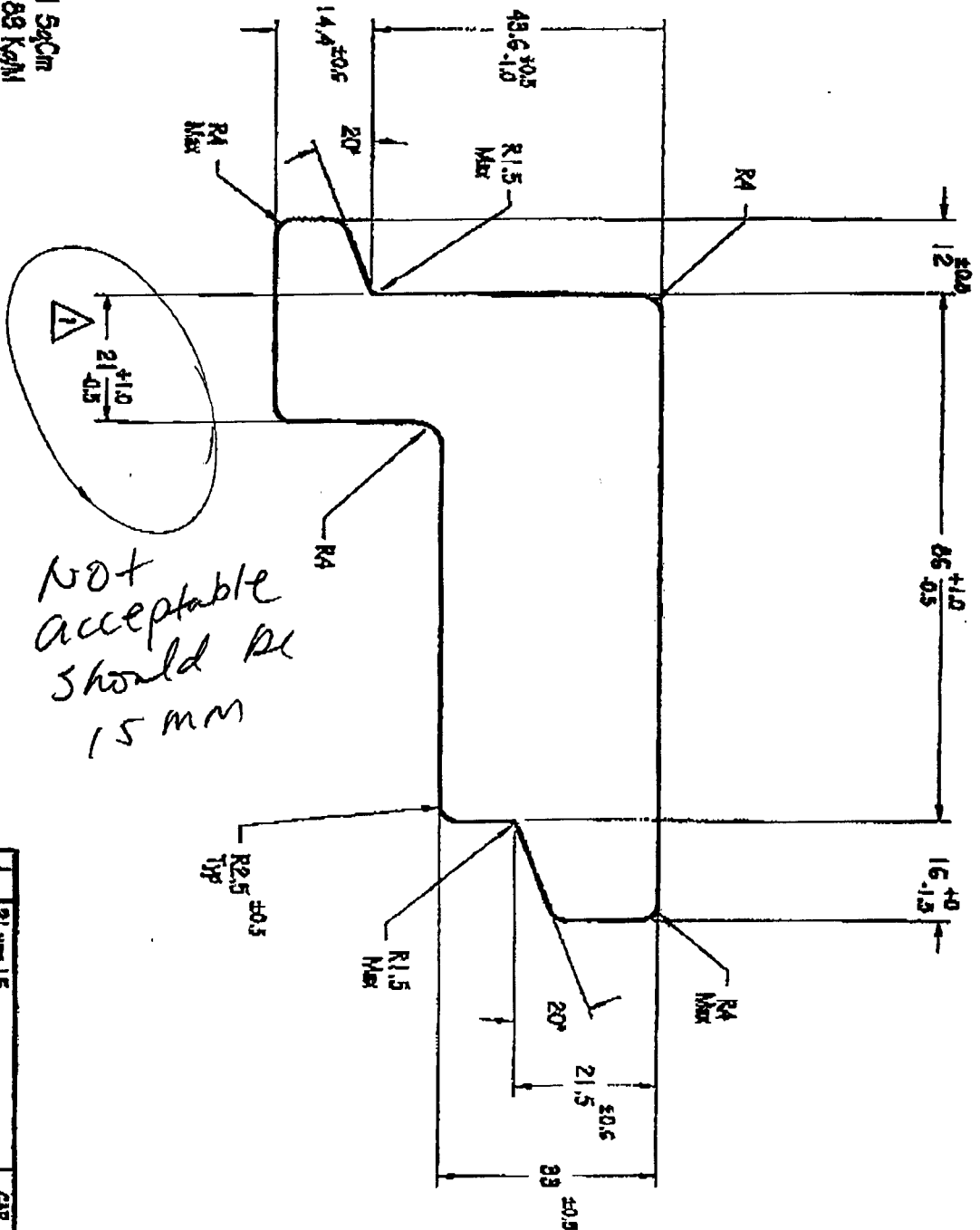
Lower Forkbar

SK-6922

Scale: N/A  
Drawn By: GJR  
Date: 7-14-00  
App By:

A-6109

No.	Revision	By	Date
1	21 MAR 15	GJR	7-17-00





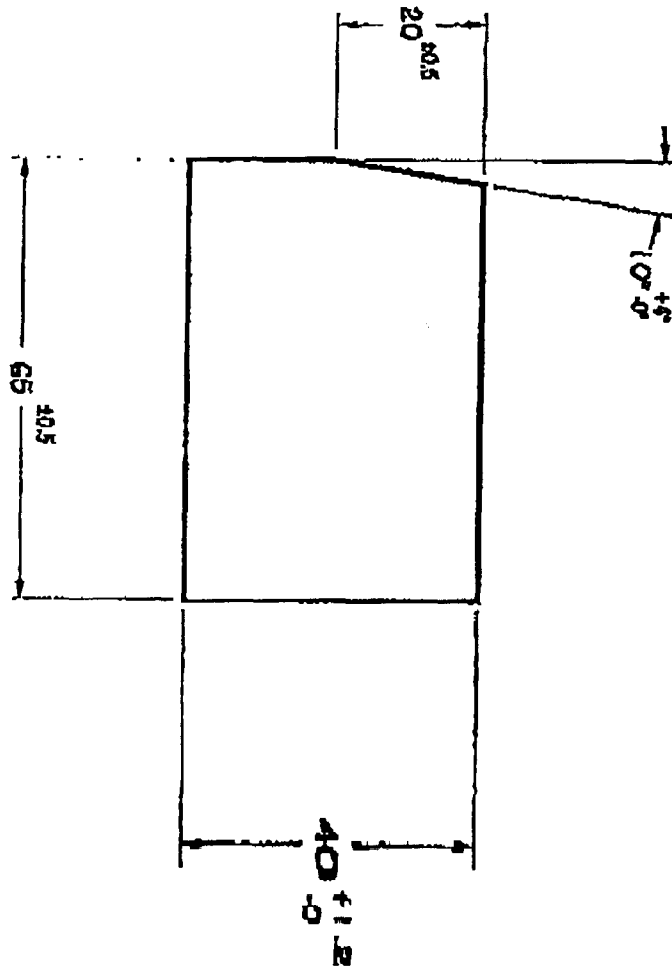
STEEL OF WEST VIRGINIA  
MUNNINGTON, WEST VIRGINIA



Section Area 25.65 SqCm  
Section Weight 20.13 kgM

3/5

Center Radii R 2.5 Max



Lower Carriage Bar

SK-6323

No.

Revision

By

Date

Scale Full

Drawn By GAR

Date 7-14-00

App By

A-6110

only shape  
SWVA could make  
to print



## **EXHIBIT 1B**

### **Letters from US Equipment Manufacturer Confirming The Non-Availability of Hoesch Type Carbon Special Shapes**



November 26, 2001

Gloria Blue, Executive Secretary  
Trade Policy Staff Committee  
Office of the U.S. Trade Representative  
600 17th Street, N.W.  
Washington, D.C. 20508

Dear Ms. Blue:

We are writing in response to the exclusion request for carbon steel products imported under HTS Nos. 7216.10.0050, 7216.50.0000 and 7216.61.0000 filed by Hoesch Hohenlimburg GmbH and its US affiliate German Special Profiles Inc. Mitsubishi Caterpillar Forklift America Inc., manufacturers of CAT and Mitsubishi forklifts, is an U.S. producer of fork lift trucks.

→ The carbon steel profiles that our company purchases from German Special Profiles are used in our plants in Japan, Holland, and the US, and they are not currently available from a US mill. Any high duty imposed on these profiles will put our products at a competitive disadvantage for our US, Canada, Mexico, and South America markets, and any restrictions of imports will, at least temporarily, limit our ability to produce forklifts in the US.

Accordingly, we ask that our carbon steel profiles provided in the carbon steel products classifications listed above be excluded from any safeguard measures imposed by the President.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Scot Jackson  
Assistant Manager of Purchasing  
Mitsubishi Caterpillar Forklift America Inc.  
2011 W. Sam Houston Pkwy. N.  
Houston, TX 77043



**SCHAEFF**

9.  
FOR PUBLIC FILE

*Team Solutions for the Way You Wo.*

A-428-831

Pages: \_\_\_\_\_

Investigation

**PUBLIC DOCUMENT**

11 AUG 15 2001

The Honorable Donald L. Evans, Secretary  
U.S. Department of Commerce  
Attn: Import Administration  
Central Records Unit, Room 1870  
14th Street and Constitution Avenue, N.W.  
Washington, D.C. 20230

August 13, 2001

*Re: Structural Steel Beams from Germany*

Dear Mr. Secretary,

Schaeff Incorporated submits these comments pursuant to 19 C.F.R. § 351.312 and urges the Department to exclude from the scope of this proceeding Special Forklift Mast Profiles, as defined in Appendix 1 to the June 19, 2001 post-conference brief filed by Hoesch Hohenlimburg GmbH in the companion investigation of the U.S. International Trade Commission. For ease of reference, a copy of this product definition is attached to this letter as Appendix 1.

Schaeff Incorporated is a manufacturer of forklift trucks. In order to manufacture the masts of the forklift trucks, Schaeff Incorporated must purchase specially produced profiles dedicated for use as forklift truck masts. Because of their special use, forklift mast profiles are smaller and more compact than structural steel beams. Their depth is less than 8 inches (203mm) and their flanges are more narrow and thick than those on beams made for structural use. Accordingly, these profiles cannot be used interchangeably with structural steel beams and normal structural steel beams cannot be used in the manufacture of forklift trucks.

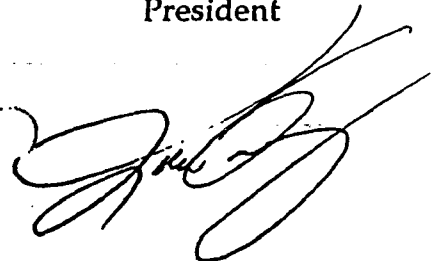
In addition, because of their special dimensions, these profiles cannot be manufactured on a normal structural beam mill. Instead, their manufacture requires dedicated equipment for producing small size special profiles. To our knowledge, none of the petitioners in this case possess the necessary equipment for producing special forklift mast profiles. In fact, we know of only one U.S. company, not a petitioner, that is able to produce any profiles for use in forklift trucks. However, because this company cannot produce all types of forklift mast profiles and

cannot satisfy the full U.S. demand for this product, it is essential that foreign sources of forklift mast profiles remain unrestricted. We therefore request that the Department exclude Special Forklift Mast Profiles from the scope of this proceeding.

We thank you for your consideration of this matter and stand ready to provide any additional information you might require.

Sincerely yours,  
Schaeff Inc.

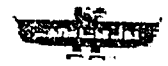
John Feeley  
President

A handwritten signature in black ink, appearing to read "John Feeley", is written over the printed name and title.

Special Forklift Mast Profiles

Steel beams specially manufactured for use in fork lift truck masts entered under HTSUS 7216.50 and/or 7216.69, produced according to a specific drawing or blueprint for use as fork lift mast sections in the manufacture of fork lift trucks and meeting the following criteria:

steel grade C1027M, 18MnNb6 or 17MnV7,  
with a depth of less than 8 inches (203mm),  
a flange width of no more than 5 inches (127mm),  
a flange thickness of no less than 15% of flange width, and  
a weight of 10-47 pounds per linear foot (15-70 kg/m).



Leading the world in quality lift truck  
attachments, forks and accessories.

**cascade**  
corporation

By E-Mail

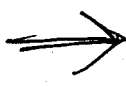
Gloria Blue, Executive Secretary  
Trade Policy Staff Committee  
Office of the U.S. Trade Representative  
600 17th Street, N.W.  
Washington, D.C. 20508

**PUBLIC DOCUMENT**

***Steel, Investigation No. TA-201-73; Exclusion Request***

Dear Ms. Blue:

I am writing in response to the exclusion request for carbon steel products imported under HTS Nos. 7216.10.0050, 7216.50.0000 and 7216.61.0000 filed by Hoesch Hohenlimburg GmbH and its US affiliate German Special Profiles Inc..



Cascade Corporation is a global leader in the design and manufacture of attachments for the lift-truck industry. The carbon steel profiles that our ~~three U.S. manufacturing facilities purchase from German Special Profiles~~ are unique in design for lift-attachment construction and are used globally by our company and are not available by US supply. Our company owns design rights and distribution rights for the carbon steel profiles we purchase. Any restriction of imports or high duty imposed on these profiles will put our products at a competitive disadvantage.

Accordingly, we ask that our carbon steel profiles provided in the carbon steel products classifications listed above be excluded from any safeguard measures imposed by the President.

If you have any questions, please do not hesitate to contact me.

Sincerely,

R. Garry Cummings  
Staff Manager - Materials

104 Industrial Park Blvd  
Riverside, CA  
92504  
Tel: 912.522.7173  
Fax: 912.522.5014  
www.cascade.com

6

From: "Stonick, Mark" <cpmstoni@NMHG.COM>  
To: "FR0001@ustr.gov" <FR0001@ustr.gov>  
Date: Tue, Dec 11, 2001 2:33 PM  
Subject: Steel, Investigation No. TA-201-73; Exclusion Requests


Dear Ms. Blue -

Pursuant to the notice of request for comments published at 66 Fed. Reg. 54321 (Oct. 26, 2001), I hereby submit the enclosed exclusion request for the following products on behalf of Hoesch Hohenlimburg GmbH and German Special Profiles Inc.:

#### 1. Carbon Steel Special Profiles

My name is Mark Stonick, and I am the global commodity team leader for rolled-steel profiles and sections for NACCO Materials Handling Group, Inc. (NMHG). We are a \$1.7 Billion company Headquartered in Portland, Oregon, and are the parent company for both the Hyster and Yale forklift brands. We currently have five (5) manufacturing operations in the United States, employing over 2,800 people. I oversee the selection of select commodity suppliers for use in our products, and therefore oversee the products produced for NMHG by Hoesch Hohenlimburg GmbH and supplied through German Special Profiles Inc.

Along with our development partner Cascade Corporation (CasCorp) of Portland Oregon, we utilize Hoesch Hohenlimburg GmbH (Hoesch) and German Special Profiles Inc. (GSP) to provide both companies with rolled steel profiles that meet the specific design requirements of both of our engineering teams, or in other words, these profiles are per our design details, and are considered proprietary to our respective products. These are not commodity profiles that can be used by any other manufacturer. A significant amount of tooling money has been spent to develop and produce these profiles, and we have recently transitioned the "used on" product (Integral Side-Shift Carriages) into full production.

 NMHG and CasCorp have both made a significant commitment to Hoesch / GSP due to their ability to produce profiles that can not be produced by Steel of West Virginia, which is the only recognized United States based manufacturer that produces similar profiles. We consume a significant amount of product from Steel of West Virginia, but they were not able to produce such fine shapes, as their rolling mills are set up for remote profile manipulation, and these hydraulic actuated manipulators would crush our profiles and render them unsuitable for the final rolling operations. This business opportunity was originally submitted to Steel of West Virginia, but their quote was not complete and was therefore not accepted, due to their inability to provide all interacting sections.

NMHG would like to support the Exclusion Request submitted by Hoesch Hohenlimburg GmbH and German Special Profiles Inc. on November 13th. NMHG supports their statements as true and accurate, as relates to NMHG.

NMHG would like it to be known that failure to achieve exclusion status for Hoesch Hohenlimburg GmbH and German Special Profiles Inc. and the products



they produce for NMHG would cause NMHG significant undue harm and damage in our highly-competitive marketplace, as many of our competitors can import completed assemblies without restrictions. In our current economic situation as a company and a nation, NMHG hopes you can take a position that allows us to remain viable and competitive in our marketplace.

If there are any questions in regards to this request, please contact:

**Mark Stonick**  
**Global Commodity Team Leader - Rolled Sections**  
**NACCO Materials Handling Group, Inc.**  
**4000 N.E. Blue Lake Road**  
**Fairview, OR 97024**

**503.721.6149**  
**503.721.6300 Fax**  
**cpmstoni@nmhg.com**



**EXHIBIT 2**

**SWV Letter Stating Only SWV Can Make Special Sections in the U.S.**



June 26, 2000

**SWVA, INC. a subsidiary of  
STEEL OF WEST VIRGINIA, INC.**

Gary Cummings  
Cascade Corporation  
104 Industrial Park Blvd.  
Warner Robins, GA 31093

Dear Gary:

I am pleased to announce that this month Steel of West Virginia has achieved ISO 9002 certification.

Attached is a copy of my press release and a copy of our ISO 9002 certificate. I am very proud of our employees and I believe that the discipline this system gives us will make us a better supplier to our customers. As you probably know, the process does not stop with the initial certification, but continues with yearly audits that require documented continuous improvement in order to retain certification. We welcome this challenge.

In addition to sharing our ISO 9002 news with you, I would like to take this opportunity to review our position as the leading supplier of special rolled sections. Our leading position is made possible due to the following:

- - Only North American mill designed specifically for special sections. ←
- Two domestic melt shop locations to produce steel.
- Continued capital investments to improve product quality and productivity.
- Steel product engineering design staff to support your engineering staff.
- Significant capacity available and a flexible rolling schedule to serve you.
- A financially strong Company that stands behind its products (copy of our parent Company's annual report enclosed.)

I hope that we can continue to serve your company and be your choice supplier of special sections.

Sincerely,

Timothy R. Duke  
President and CEO

enclosures

Phone: (304) 696-8200 Phone: (800) 624-3492 Fax: (304) 529-1479  
Next Day Mail: 17th St. & 2nd Ave., Huntington, West Virginia 25703  
Mailing Address: P.O. Box 2547, Huntington, West Virginia 25726-2547  
E Mail Address: steel@swvainc.com

## **EXHIBIT 3**

**Excerpt from Exhibit 1 of Wiley, Rein & Fielding Letter of Objection  
to Exclusion Request**

competitors can purchase billets for conversion on their rolling mills. See Exhibit 11.

- North Star Steel can produce this product, either using its own steel or with purchased billets.
- Ispat Inland is also capable of making free machining bar and rod.
- Birmingham can produce this product at its Cleveland facility, which is currently shuttered.
- AmeriSteel can produce this product, including bar over ½ inch, with purchased billets.

In addition, Saarstahl's request should be considered with particular skepticism, given that Saarstahl was the subject of unfair trade investigations on leaded steel throughout the 1990s until Ispat Inland (after being acquired by the LMN Group) allowed the orders to lapse during the ITC sunset review process.

#### 020 – Carbon Steel Special Profiles (Hoesch/German Special Profiles)

- Steel of West Virginia has provided a detailed response strongly opposing any exclusion of these products. Please see the attached letters from Steel of West Virginia and from the United Steelworkers of America District 8, included at Exhibit 5 and 3.
- According to North Star Steel, this request is insufficiently clear for it to determine whether North Star can manufacture the product.
- AmeriSteel can likely produce this product with purchased billets, with the exception of hot extrusions.

#### 024b - Bars of High-Speed Steel

- North Star Steel can produce this product, either using its own steel or with purchased billets.
- Timken produces this product and opposes the request. See Exhibit 1.

## **EXHIBIT 4**

**Chart Showing No Over-lap with North Star Steel Products**

## North Star Steel

North Steel also has not competed in the past with neither German Special nor Hoesch Hohenlimburg with providing USA customers with special shapes. Again, North Star's website without doubt supports the truth of this statement.

North Star Steel Products by USA Plant	North Star Products	North Star Steel Dimension Range	GSP Special Shape Products Mix less than 80 mm Height
Calvert City, KY	Channels Misc Channels Angles I-Beams Flats Plates	6x8.2 to 7x14.75 inches 3x7.1 to 6x16.3 inches 6x4 to 8x8 inches 6x12.5 to 6x17.25 inches Various widths 1/4 to 1 3/4 inch thickness Not Specified	none none none none none not applicable
St. Paul, MN	Round Bars Rebar	5/8 to 3 1/2 inch diameter #13 to #57	none none
Delta, Ohio	Melt Shop/Slab Mill		not applicable
Wilton, Iowa	Rebar Flats Angles Off Leg Angles	#13 1 to 6 inches wide 1x1 to 3x3 inches 1/8 to 3/8 inch thickness	not applicable none none none
Beaumont, TX	Wire Rod Rebar	Various #10, #13 and #16	not applicable not applicable
Houston, TX	Pipe	Various	not applicable
Kingman, AZ	Rebar Rod Merchant Bar	#10 to #57 Various 5/8 to 1 1/2 inch diameter	not applicable not applicable none
Duluth, MN	Grinding Balls		not applicable
Monroe, MI	Round Bars	9/16 to 2 1/8 inch diameter	none
Youngstown, Ohio	Pipe	5 to 10 3/4 inch diameter	not applicable

## **EXHIBIT 5**

**Chart Showing No Over-lap with Ameristeel Products**

## AmeriSteel

AmeriSteel has not competed with neither German Special Profiles nor Hoesch Hohenlimburg with providing USA customers with special shapes. To support this truth, The AmeriSteel web site information accurately summarizes AmeriSteel's capabilities.

AmeriSteel Mill Products	AmeriSteel Dimension Range	GSP Special Shape Products Mix less than 80 mm Height
Equal Side Angles	1x1 to 4x4 inches	none
Unequal Side Angles	3x2 to 5x3 1/2 inches	none
Channels	3 to 6 inches	1 special shape of 1.024 x 1.988 inch is outside range
Flats	1 to 6 inches wide	none
Rebars & Coils Rounds	1/2 to 1 1/2 inch diameter	none
Wire Rod	7/32 to 1/2 inch diameter	none
Squares	1/2 to 1 inch	none
Rebar/ Fabrications		not applicable
Nails		not applicable
Wire Mesh		not applicable
Rail Spikes		not applicable
Cold Drawn		not applicable



## **EXHIBIT 6**

**PMAC Objection Letter of November 27, 2001**

# PMAC, LTD.

---

4023 Fourth Avenue, Beaver Falls, PA 15010 (724) 847-7116 Fax (724) 847-7127  
Email: [amerex@tsil.net](mailto:amerex@tsil.net) URL: [americanextrudedproducts.com](http://americanextrudedproducts.com)

November 27, 2001

**Gloria Blue, Executive Secretary**  
Trade Policy Staff Committee  
Office of the U.S. Trade Representative  
600 17<sup>th</sup> Street, N.W.  
Washington, DC 20508

**Steel, Investigation No. TA-201-73; Exclusion Request**

Dear Ms. Blue,

The post hearing remedy brief, located at this address EDIS 201-73 Document ID#200111150115, from Hoesch Hohenlimburg GmbH, mischaracterizes the US capacity to produce the products. Amerex's current capacity alone is more than sufficient to provide the US demand. The issue of size is also incorrect as well. Amerex offer sizes up to 12" by utilizing the HC Stark's press. Extrusion Technology who was not listed produces sizes above 10" and Wyman Garder produces sizes above 20". This brief is totally misleading and must be corrected.

We will be developing a rebuttal that we will be sending to you and our federal representatives and anyone else that will listen. Attachment one briefly describes the effects of the imported product on Amerex.

Regards,

Arthur G. Hinze  
Executive Vice President  
PM Acquisition Corp and  
General Partner of PMAC, Ltd.

AGH:hac

Attachment: Article 1

## ATTACHMENT 1

We have reviewed our structural capability and attempted to match it to an appropriate Harmonized Tariff Schedule (HTS) to determine if our products are covered under the ongoing Section 201 case. The attached list represents all angles (equal and unequal leg), channels, I-beams, and tees. We obtained a copy of the HTS from the ITC website along with a copy of the General Information, Instructions and Definitions for the Commission's questionnaire. We used the later to identify the stainless steel shapes included in the survey in Sec. D, sub-section 25, 'bar and light shapes'.

Using the two lists to cross match the applicable HTS, it would appear that our products could be included under the HTS general heading 7222. The individual items are listed below by 10-digit tariff number and a brief description of each.

7222.40	Angles, shapes, and sections
7222.40.30	Hot rolled
	With a maximum cross sectional dimension of $\geq 80\text{mm}$
7222.40.30.25	Angles
7222.40.30.45	Other
	With a maximum cross sectional dimension of $< 80\text{mm}$
7222.40.30.65	Angles
7222.40.30.85	Other
7222.40.60.0	Other

While this sub-section states **hot rolled**, the major definition of section 7222 allows for hot rolled, hot drawn, or extruded. It is unclear if extruded shapes are included in the above sub-section. We could find no other HTS that specifically states extruded angles or shapes. We also do not have access to the import paperwork for these products to determine what our foreign competitors state on their shipping documents and/or what the extruded material is classified as at the port of entry.

We also investigated the specific data available from the ITC. We constructed a query from their database using the above HTS numbers for the year 2001. The amount reported as imported from Japan and Germany (our primary sources of competition) does not appear to be nearly the amount we would estimate given the material in the country and what our customers tell us is available. It again begs the question what HTS classification these imports carry.

The following table lists our activity in ship tons for the last 3 years and year 2001 through 3Q.

<u>PRODUCT GROUP</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>	<u>2001 3Q</u>
Carbon Steel Shapes	672	484	572	342
SS Shapes	1422	397	454	520
SS Structural	<u>1794</u>	<u>742</u>	<u>494</u>	<u>528</u>
Total	3888	1623	1520	1390

As you can see, there has been a precipitous drop in the volume of SS shapes and structural products over the last 4 years even though we have **increased** the size and product range we offer to the market. To retain the less than one third of the business we once had four years ago, we have been forced to reduce selling prices by 20%. Pricing at this level covers just variable cost and a portion of fixed cost with no profit margin.

**EXHIBIT 7**

**Website Scope of Business Description**

**Of**

**RTI**

**Wyman Gordon**

**Elwood Texas Forge (ETF)**

**Extrusion Technology Inc.**



[Corporate](#) [Product Line / Services](#) [Manufacturing Capability](#) [Industries Served](#)  
[Overview](#) [Why Extrusion?](#) [Benefits of Extrusion](#) [Cost Savings](#) [Photo Gallery](#) [Services](#)

## Company Profile

RTI Fabrication, LP is a leading provider of specialized metal fabrication services. RTI Fabrication specializes in fine-tolerance extrusion, fabrication, machining, and finishing of titanium and other specialized metal and metal alloy products. We have proudly served leading firms in the aerospace, chemical, defense, oil and gas, and power generation industries.

RTI Fabrication, LP is part of the Fabrication & Distribution division of RTI International Metals, Inc. RTI International Metals, Inc., also known as RTI, is a leading, global distributor and manufacturer of titanium and specialty metal products. RTI has two business segments: the Titanium Group, and the Fabrication & Distribution Group, which are made up of approximately 1200 people at 17 locations worldwide. RTI companies provide specialized engineering, extrusion, design, distribution, fabrication, finishing, manufacturing, and marketing services for nickel, stainless steel, titanium, and alloy products. Click below for more information regarding RTI International Metals, Inc.





Corporate    Product Line / Services    Manufacturing Capability    Industries Served  
 Company Profile    Locations / Contact Us

## Indirect vs Direct

### Direct Extrusion:

Direct Extrusion is where material flows from the surface of the billet through a die. Glass lubricants are required to lower friction and insulate the hot metal, thereby preserving the tooling and absorbing the stresses. This efficient process saves a tremendous amount of raw material compared to standard manufacturing processes.

### Indirect Extrusion:

More efficient still, is the method of Indirect Extrusion. This is where material flows from the center of the billet through the die. The surface of the billet forms a "can" over the stem and becomes scrap. The liner and billet are moving in tandem to eliminate the normal build up of friction common to direct extrusion. No glass lubricant is required and parts benefit by having smaller stock envelopes and tighter tolerances. The most dramatic benefit in indirect extrusion is the superior quality surfaces that can be achieved, which eliminates the need for further machining. This process is the most efficient in the world, offering substantial savings in raw material costs over other methods, including direct extrusion.

RTI Fabrication plans to use our new 5000 ton direct/indirect extrusion press to offer all types of innovative, unique manufacturing services to our customers. The press can input billet sizes from 6" to 18.50" and accommodate billet lengths up to and including 55".




Welcome to... Wyman-Gordon.com

Brighton, MI | Carson City, NV | Clackamas, OR

Products  
Capabilities  
Locations  
People  
News  
History  
Employment  
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Home

## Capabilities

Wyman-Gordon covers the spectrum. From components that fit into your hand to the world's largest closed-die components. We are your one-stop source for Titanium, Nickel-Based, Steel, Powder and Aluminum Alloy products. Design to assemble. We do it all!

Component Size	Forged Products	Investment Cast Products	Material/Finished Products
Large 	Grafton, MA Houston, TX Livingston, Scotland Worcester, MA Brighton, MI Lincoln, England Cleveland, OH	Clackamas, OR (SSBO) Tilton, NH Franklin, NH Groton, CT San Leandro, CA Carson City, NV	Kladno, Czech Republic Merida, Mexico Monterrey, Mexico Perth, Australia Plzen, Czech Republic (Alphabetical Order)
Small			

If you have any questions with aligning your product to our capabilities, please contact:

Scott Wilczynski  
Sales Manager  
Wyman-Gordon Division  
Phone: (508) 839-8229 | Fax: (508) 839-8387  
Email: [swilczynski@wyman.com](mailto:swilczynski@wyman.com)

[Back to Wyman-Gordon Home](#)





Ellwood  
Texas  
Forge

## MARKETS/PRODUCTS



AEROSPACE / DEFENSE

INDUSTRIAL PRODUCTION

OIL & GAS

POWER GENERATION

INFORMATION REQUEST

### MARKETS

#### Ellwood Texas Forge:

##### Manufactures:

- Closed die forgings weighing 50-10,000 lbs.
- Shaped open die forgings 5,000 to 15,000 lbs.
- Pipe extrusions 6" to 16" diameter

Forges carbon, alloy and stainless steel, nickel and titanium

Serves a variety of diverse markets in the USA, Canada, Latin America, Europe, and Asia-Pacific

Works with customers at the design stage to develop the best and most cost effective forging

[HOME](#)

[MARKETS](#)

[MANUFACTURING](#)

[ABOUT ETF](#)

[E-MAIL](#)



**Ellwood  
Texas  
Forge**

**MANUFACTURING**

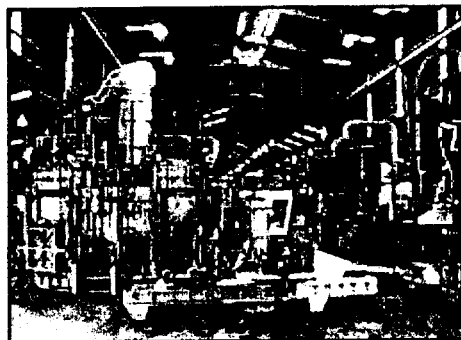
## MANUFACTURING



11,000 Ton, Multi-Ram, Hydraulic Press

ETF combines state-of-the-art forging design, with unique equipment and an unparalleled dedication to quality to better serve our customers.

Closed die forgings are made by pressing hot metal between shaped dies.



6,000 Ton, Hydraulic Press

### Closed die forging offers:

- Lower input weight
- Minimal metal removal after forging
- Batch to batch consistency
- Unique metallurgical properties



Heat Treat Furnaces and Quench Tanks

### To make these forgings, Ellwood Texas Forge uses:

- Sophisticated CAD and computer modeling
- Large, computer controlled hydraulic forging presses
- Controlled heat treatment furnaces
- Support equipment — die making, cutting, grinding, testing, and inspection

## Welcome to the Website of Extrusion Technology, Inc.



Tech-Box  
Systems

Tech-Panel  
Systems

Facility  
Systems

Lead Time  
Reduction

Support  
Programs

Customer  
Partnerships

Operating  
Data Entry

Product  
Storage

Extrusion Technology is a leading supplier of  
aluminum extrusion **Tech-Box Enclosure**

**Systems** and **Tech-Panel - Circuit Board Panel Systems** to the  
electronics, networking and telecommunications industry. We are  
especially proud of the accomplishments we have made over the  
past few years in our efforts to become a **"World-Class"**  
manufacturing operation.

Having recently celebrated our **50th year in business**,  
Extrusion Technology is more committed than ever  
before to keep pace with the increasingly rapid and  
changing needs of our customers by bringing extruded  
aluminum systems to market under tight specifications and  
deadlines.



Quality is a "given" with our **ISO-9002 systems** to meet your  
technical specifications and delivery expectations.

Our relentless **focus on lead time reduction** has resulted in  
continued improvements in delivery commitments and reaction to  
quick turn requests.

Our goal, as it has always been, is to **become partners** with  
**growing companies** and develop long term mutual relationships.

We hope that you will become one of them.

---

**EXTRUSION TECHNOLOGY, INC.**  
80 Trim Way  
Randolph, Massachusetts 02368 USA  
781-963-7200  
FAX: 781-963-7203  
email: [sales@extrusiontechnology.com](mailto:sales@extrusiontechnology.com)

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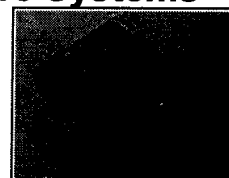
Website designed & maintained  
by Sigsby Communications

Tech-Box  
SystemsTech-Box  
Home Page[Techbox Photos](#) | [Techbox Specifications](#)

Tech Box

## Standard Extended Enclosure Systems

These one-piece extruded aluminum enclosures offer many advantages over plastic or multi-piece sheet metal enclosures. Among them are ruggedness, fewer assembly steps, lower system costs, excellent heat dissipation, and RFI/EMI shielding properties.



The unique design also allows you to **customize the exact length for your application**. Our in-house machining capabilities allow us to provide any number of machined features to the enclosure, or end panels.

We also pride ourselves in our ability to handle your finishing, labeling, and assembly requirements.

### FEATURES

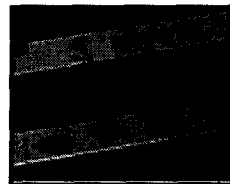
- **RFI/EMI shielding** is an integral characteristic of our extruded aluminum enclosures
- TECHBOX provides excellent **heat sinking** to dissipate component heat
- **Less assembly required** than sheet metal or plastic enclosures since circuit cards simply slide right in
- All products fully **manufactured and extruded in our own factory**
- **Low Cost**--no tooling or die charges and minimum set-up costs
- **Flexible**-- can be supplied in any custom length with a variety of finishes and custom features
- **Rugged, durable** extruded aluminum can be used indoor or outdoors
- **Quick Turnaround**-- ship from stock and can be custom modified quickly
- **Customization** includes panel cutouts,

[To Our  
HomePage](#)

## Tech Panels

[Click here  
to view photos](#)

### Extruded Circuit Board Faceplates



Standard aluminum extruded compact PCI faceplates require no forming or bending. The shapes can be designed with any number of features, including; square corners for a crisp look, detents for plastic labels, or offsets for shielding strips or clips. And with either punch tooling, or CNC machining, we can add any number of connector or LED configurations to the face, or fasteners to the legs.

Contact us for more detailed information on how we can provide you with solutions for your panel requirements.

### FEATURES

#### Extruded Channel Design

- Panel to panel contact with clips or gaskets
- 90 degree corners for crisp look
- Strength and rigidity over length

#### Formed Label "Detents"

- Replace silk screen w/Lexon labels
- Use labels to cover open holes

#### Integral Board Support

- Added strength and support for boards
- Integrate with standard or customized ejectors
- Board mounting PEMs or standoffs

#### Actuator Systems

- Mechanical "hot swap" slide switches
- Interlocking systems with ejectors

[Tech-Panel Systems](#) | [Tech-Box Systems](#) | [HomePage](#)

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## **EXHIBIT 8**

**Excerpt from Collier, Shannon Letter January 16, 2001 Letter of  
Objection to Exclusion**

PUBLIC DOCUMENT

REQUEST FOR ADDITIONAL INFORMATION INVOLVING EXCLUSIONS		
PRODUCT	CURRENT PRODUCTION (Either 2000 or YTD 2001 Quantity Value)	POTENTIAL PRODUCTION (Indication of what it will take to begin production and the time frame)
2. 316L Medical Grade SSB  (Sandvik Metinox, X-004)  (Classified under HTS No. 7222.30.0000)	<del>Carpenter Technology Corporation: [ ] Crucible Specialty Metals: [ ] Slater Steels Corporation: [ ]</del>	
3. Hot-Extruded Stainless Steel Profiles  (Hoesch Hohenlimburg GmbH and German Special Profiles Inc. X-020)	<p>In addition to the three companies identified in the exclusion request, hot-extruded stainless steel profiles with one dimension greater than 6.5 inches are produced by at least three other domestic manufacturers, including:</p> <ol style="list-style-type: none"> <li>1. RTI Fabrication, Houston, TX <i>flpc</i></li> <li>2. Elwood Texas Forge, Houston, TX</li> <li>3. Wyman Gordon, Cypress, TX</li> </ol> <p>In addition, the exclusion request incorrectly identifies two of the three listed domestic producers of hot-extruded stainless steel profiles. Specifically, Amerex is now operating as PMAC, and Altech is now operating as ALTX. [ ]</p> <p>[ ] Further, contrary to the assertions in the exclusion request, Extrusion Technology produces [ ] and Wyman Gordon [ ]</p>	<p>The exclusion request concerning hot-extruded stainless steel profiles should also be denied because, as noted in the exclusion request, hot-extruded stainless steel profiles can be used as a substitute for hot-rolled stainless steel profiles. Accordingly, if the exclusion request were granted, domestic consumers of hot-rolled stainless steel profiles could reduce their purchases of those products from domestic manufacturers and substitute hot-extruded stainless steel profiles.</p>
4. Various Commodity Grades of Stainless Steel Bar  (Acos Villares, S.A., X-031)	<p>Villares' request for an exclusion covers a wide variety of commodity grade stainless steel bar products, all of which are produced in significant volumes by domestic producers. While Villares asserts that there is insufficient production of these</p>	

PUBLIC DOCUMENT

**EXHIBIT 9**

**Copy of Quotation Reflecting PMAC and Plymouth's Refusal to Quote  
On Products over 5 Inches**



Inventory also supplied by KTB on 1/13/00

Quote 22-44424

3 October, 2001

Energy Process

Stock Offer	Wt/ft	Amerex	Plymouth	GSP	Siderval	Quantity	PRICE CWT	Notes
3" x 1-1/2" x 1/4" Channel Ext. (non-tapered)	5.36					745'	\$299.00	All in Suwanee
5" x 1-7/8" x 3/8" Channel Ext. (tapered)	11.70					280'	\$330.00	1900# stock, balance
8" x 4" x 1/4" Channel (welded-angle)	13.70					1400'	\$330.00	13,000# stock, balance
4.16" x 4.06" x .280" x .345" Beam (W4 @ 13.0#/ft profile; can be split into 7) Ext.	14.40					693'	\$330.00	7900# stock, balance
NO OFFER FROM STK FOR 5" BEAM								
2" x 2" x 1/4" Angle	3.26					745'	\$125.00	Suwanee stock
3" x 3" x 3/8" Angle	7.34					6992'	\$131.00	U.S. stock
Extruded weight/foot shown are factored heavy to account for loose extruded tolerances.								

MILL OFFER

	Wt/ft	Amerex	Plymouth	GSP	Siderval	Quantity	PRICE CWT	Notes
C3 @ 5.0#/ft 3" x 1.498" x 0.268" Tapered, Same as Inquiry	5.00	\$275.00	\$250.00	\$256.00	\$227.00	745'	\$259.00	20/25' Randk
C5 @ 9.0#/ft 5" x 1.885" x 0.346" Tapered, Same as Inquiry	9.10	\$275.00	\$214.00	\$256.00	\$216.00	280'	\$247.00	20/25' Randk
C8 @ 11.5#/ft 8" x 2.628" x 0.500" Tapered, Closest Ext. Size	18.80			\$329.00		1385'	\$374.00	20/25' Randk
W4 @ 13.0#/ft 4.16" x 4.06" x .280" x .345" Can be split	13.10	\$270.00		\$266.00	\$216.00	693'	\$247.00	20/25' Randk
WT2 @ 6.5#/ft 2.08" x 4.08" x .280" Stem thk, .345" Flg, Tee	6.52	\$285.00	\$240.00	\$266.00	\$227.00	1385'	\$259.00	20/25' Randk
W5 @ 16.0#/ft 5.01" x 6.00" x .240" x .360" Same as Inquiry	16.01	\$260.00		\$266.00	\$212.00	3323'	\$242.00	20/25' Randk
ULA 3" x 2-1/2" x 3/8"	6.58	\$260.00	\$244.00	\$258.00	\$212.00	6992'	\$242.00	20/25' Randk

ATTACHMENT #3

**K G Specialty Steel**  
2500 Northlake Drive  
Suwanee, Georgia 30024

770-963-9999  
770-963-1153 (fax)

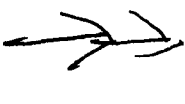
November 26, 2001

Gloria Blue, Executive Secretary  
Trade Policy Staff Committee  
Office of the U.S. Trade Representative  
600 17<sup>th</sup> Street, N. W.  
Washington, D.C. 20508

***Steel, Investigation No. TA-201-73; Exclusion Request***

Dear Ms. Blue,

We are writing in response to the exclusion request for Hot Extruded Stainless Steel products imported under HTS Nos. 7222.40.3045 filed by Hoesch Hohenlimburg GmbH and its U.S. affiliate German Special Profiles Inc. K G Specialty Steel is an U. S. distributor of stainless products.

 The stainless steel profiles that our company purchases from German Special Profiles are unique I-Beam, channel, and angle shapes. No existing U.S. producer can manufacture such shapes where any dimension is 6.5 inches or greater. Any restriction of imports or high duty imposed on these stainless profiles will put our products at a competitive disadvantage.

Accordingly, we ask that our stainless steel profiles provided in the stainless Steel products classifications listed above be excluded from any safeguard measures imposed by the President.

If you have any questions, please do not hesitate to contact us.

Sincerely,

Bob Hunter  
Bar Products Manager  
Cc Ken Elkin President  
Cc Joe Yamada Purchasing